



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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P.O. BOX 1460
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IN REPLY PLEASE
REFER TO FILE: **C-1**

April 17, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**ADOPT, ADVERTISE, AND AWARD
SAN DIMAS DAM AND RESERVOIR DEBRIS REMOVAL
SUPERVISORIAL DISTRICT 5
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Find that the removal and disposal of sediment from San Dimas Reservoir caused by the Williams Fire is exempt from the provisions of the California Environmental Quality Act.
2. Approve the project and adopt the plans and specifications for San Dimas Dam and Reservoir Debris Removal, in the vicinity of San Dimas (5), at an estimated cost between \$4,000,000 and \$4,750,000.
3. Call for bids to be received on May 27, 2003.
4. Instruct the Executive Officer of the Board of Supervisors to advertise the project and to seal and return the plans and specifications to Public Works for filing.

5. Authorize the Director of Public Works to award and execute a contract with the lowest responsive and responsible bidder within or less than the estimated construction cost and to approve the Faithful Performance and Labor and Materials Bonds submitted by the contractor.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Williams Fire burned over 37,000 acres, including the entire watershed of San Dimas Reservoir. On October 8, 2002, your Board declared an emergency and approved temporary emergency measures to protect the dam's outlet works. While this work contributed to the successful operation of the dam this past rainy season, the ability of this facility to provide flood protection for downstream properties has been impacted by the deposition of approximately 400,000 cubic yards of sediment eroded from the freshly burned watershed. Additional sediment inflow can be expected at a rate much faster than normal for approximately five years until new vegetative growth reduces the rate of erosion.

Until the watershed recovers, additional emergency actions are necessary to maintain an acceptable level of flood protection and to prevent damage to the dam's outlet works so as to mitigate the significant risk of severe flooding in the communities downstream of the dam. The sediment deposited during the past winter must be removed to provide room for additional sedimentation which will undoubtedly occur for the next few years even with relatively moderate rainfall. Since sediment removal must be accomplished during the dry season, it is imperative that this work begin as soon as possible.

Permits from several regulatory agencies must be obtained before sediment removal can begin. Completion of California Environmental Quality Act (CEQA) documentation is necessary prior to issuance of these regulatory permits. Given the need to act quickly in order to provide continued flood protection, the removal of sediment from the reservoir is exempt as an emergency project under Public Resources Code Sections 21080(b)(2) and (4) and CEQA Guidelines Sections 15269(b) and (c). Therefore, we are recommending that your Board direct Public Works to file a Notice of Exemption since the project is necessary to mitigate the emergency situation caused by the Williams Fire.

We are also recommending that your Board delegate to the Director of Public Works the authority to award and execute the construction contract with the lowest responsible bidder within the estimated construction cost or less. The delegation of this authority allows us to expedite the contracting process so that the contractor can remove sediment as rapidly as possible.

This project is part of Flood Control District's program for removing sediment from reservoirs in order to maintain operational control and ensure adequate flood protection to downstream properties.

Implementation of Strategic Plan Goals

This project is consistent with the County Strategic Plan Goal of Service Excellence since it will provide for essential maintenance of flood control facilities that protect downstream communities.

FISCAL IMPACT/FINANCING

The estimated construction cost is in the range of \$4,000,000 to \$4,750,000.

Sufficient funds for this project are available to the Flood Control District. Due to the emergency nature of this work, other Capital improvement projects in the Flood Control District budget will be delayed.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

A standard Notice of Exemption will be filed with the County Clerk. This Notice of Exemption has been approved by County Counsel.

The enclosed plans and specifications include the contractual provisions, methods, and material requirements necessary for this project. The contract agreement will be in the form previously approved by County Counsel.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the federal income tax laws.

ENVIRONMENTAL DOCUMENTATION

The removal of sediment from the reservoir is exempt as an emergency project under Public Resources Code Sections 21080(b)(2) and (4) and CEQA Guidelines Sections 15269(b) and (c). As set forth in the enclosed Notice of Exemption, which is incorporated herein by reference, the project is necessary to mitigate the emergency situation relating to the San Dimas Dam and Reservoir caused by the Williams Fire.

Filing a Notice of Exemption will serve to satisfy CEQA regulations. This process is necessary prior to issuance of regulatory permits needed to initiate sediment removal activities.

CONTRACTING PROCESS

This project will be contracted on an open competitive bid basis. The contract will be awarded to the lowest responsible bidder meeting the criteria established by your Board and the California Public Contract Code.

To increase contractor awareness of our program to contract work to the private sector, this project will be listed on the County website for upcoming bids.

The project specifications contain provisions 1) requiring the contractor to comply with the County's Child Support Compliance Program, 2) requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees, and 3) requiring the contractor to comply with the requirements of the County's Contractor Employee Jury Service Program.

The project specifications also contain a provision that, should the contractor require additional or replacement personnel to fill employment openings, consideration shall be given to hiring qualified participants in the County's Greater Avenues for Independence or General Relief Opportunities for Work Programs.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, their civil litigation history, and information regarding prior criminal convictions. The information reported will be considered before making a recommendation to award.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The project is to be completed in 220 working days; however, due to its location, it may be necessary to stop work during the rainy season (October 15 - April 14) since water may be impounded in the reservoir. Therefore, it is estimated that the work will start in July 2003 and be completed by December 31, 2004. Local residents and businesses will be informed that traffic and local access will be disrupted during the construction.

The Honorable Board of Supervisors
April 17, 2003
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CONCLUSION

Enclosed are the original and one copy of the Notice of Exemption for the San Dimas Reservoir Cleanouts. It is requested that the original Notice of Exemption be approved and returned to this office for filing with the County Clerk. A copy of the Notice of Exemption should be retained for your files.

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

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Enc.

cc: Chief Administrative Office
County Counsel
Office of Affirmative Action Compliance

NOTICE OF EXEMPTION

**TO: County Clerk
Environmental Filings
12400 East Imperial Highway
Norwalk, CA 90650-3134**

**FROM: Los Angeles County
Department of Public Works
900 South Fremont Avenue
Alhambra, CA 91803**

Project Title

San Dimas Reservoir Cleanouts

Project Location - Specific

San Dimas Reservoir Basin

Project Location - City

Project Location - County

Glendora

Los Angeles

Description of Nature, Purpose, and Beneficiaries of Project

The Williams Fire burned over 37,000 acres of Forest Land. This fire burned 100 percent of the undeveloped watershed tributary to San Dimas Reservoir. This facility provides flood control functions for residents downstream of the facility. The Fire has greatly increased the potential for sedimentation problems to occur at San Dimas Reservoir for the next five years. A 5- to 10- year storm occurring on the burned watershed is capable of depositing 1.5 million cubic yards within this facility. The capacity of this facility at the beginning of the 2002-03 Storm Season was 2.4 million cubic yards. After the reservoir is completely drained, sediment will be excavated and trucked out of the facility to a legal disposal site such as a permitted landfill or construction site. If the sediment removal work is not implemented in a timely manner the dam's outlet works will become inoperable and cause potential flooding downstream of the dam endangering residents, damaging roads, structures, and houses.

Name of Public Agency Approving Project

Los Angeles County Department of Public Works

Name of Person or Agency Carrying Out Project

Los Angeles County Department of Public Works

Exempt Status: (Check One)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(2) and (4);
CEQA Guidelines Section 15269(b)and (c));
- Categorical Exemption: State type and section number.

Reasons why project is exempt:

See Attachment A

Contact Person

Area Code/Telephone/Extension

Patricia Wood

(626) 458-6131

Signature

Date

Title

SAN DIMAS DAM AND RESERVOIR DEBRIS REMOVAL
INSTRUCTION SHEET FOR PUBLISHING LEGAL ADVERTISEMENT

From: Department of Public Works
Construction Division

PUBLISHING

In accord with Section 20991 of the Public Contract Code.

Publish: At least five or more times prior to the date set for opening bids, in a daily newspaper of general circulation printed and published in the County and designated by the Board, or for at least two times prior to such date in a weekly newspaper printed and published in the County and designated by the Board.

Time Limitation: To open bids in four weeks.

NOTICE INVITING BIDS

Sealed Bids will be received by the County of Los Angeles Department of Public Works, Construction Division, for the removal and disposal of sediment, organic material, and trash from a reservoir under Project ID No. WRD0000009, San Dimas Dam and Reservoir Debris Removal, in the vicinity of San Dimas.

The Bids must be submitted at the Cashier's Office, west side of main lobby, 900 South Fremont Avenue, Alhambra, California 91803-1331, before 11 a.m. on Tuesday, May 27, 2003. The Bids will then be publicly opened and read in Conference Room A or at the location posted in the main lobby.

The Work shall be done in accordance with the Plans and Specifications on file and open for inspection at the County Board of Supervisors Executive Office and the Department of Public Works. The Work is estimated to cost between \$4,000,000 and \$4,750,000 and shall be completed in 220 working days. The Work requires a Class A contractor's license. Prebid questions regarding the Plans and Specifications should be directed to Mr. Erik Updyke at (626) 458-4914 or Mr. Roger Kohlenberger at (626) 458-4964.

A mandatory prebid meeting for this Contract will be held on Wednesday, May 21, 2003, at 9 a.m. at the Dam Operator's residence area, Thomas Guide Page 570-F3. Attendance at this meeting is mandatory for award of the Contract.

The Bids must be submitted on the Proposal forms included in the Bidder's package of the Contract Documents, which may be purchased for \$25, including postage and handling if mailed, at the aforementioned Cashier's Office, (626) 458-6959, Monday through Thursday between 7 a.m. and 5:30 p.m.

Each Bid must be accompanied by a certified check, cashier's check, or surety bond payable to Los Angeles County in an amount equal to at least 10 percent of the Bid to guarantee that the Bidder will enter into the Contract if it is so awarded.

All persons performing the Work shall be paid not less than the General Prevailing Wage Determination made by the Director of Industrial Relations pursuant to the California Labor Code. Copies of these wage rates are available at the Department of Public Works.

The Bid must provide full disclosure of False Claims Act violations and civil/criminal legal actions as provided for on the three forms included as part of the Proposal. Failure to complete these forms may result in a determination that the Bidder is nonresponsive and/or not responsible.

The Contract, if awarded, will be awarded to the lowest responsive and responsible Bidder; however, the Board of Supervisors reserves the right to reject any and all bids.

A responsible Bidder is a Bidder who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the Contract. It is the County's policy to conduct business only with responsible contractors.

The successful Bidder will be required to submit a faithful performance bond, payment bond, liability insurance, and workers' compensation insurance with the Contract.

As provided for in Section 22300 of the California Public Contract Code, the Contractor may substitute securities for any monies withheld by the Department of Public Works to ensure performance under the Contract or enter into an escrow agreement for payment of such monies to an escrow agent.

Each person by submitting a response to this Notice Inviting Bids certifies that such Bidder and each County lobbyist and County lobbying firm, as defined by Los Angeles County Code Section 2.160.010, retained by the bidder, is in full compliance with Chapter 2.160 of the Los Angeles County Code.

Para mas informacion con relacion a esta noticia, por favor llame a este numero (626) 458-3118. Nuestras horas de oficina son de 7 a.m. a 5 p.m. de Lunes a Jueves.

The County supports and encourages equal opportunity contracting.

By order of the Board of Supervisors of the County of Los Angeles, State of California.

Dated April 29, 2003.

Violet Varona-Lukens
Executive Officer
of the Board of Supervisors

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